

Docket No.: 62371DIV(49163)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Weihong Tan et al.

Application No.: 10/010,807

Confirmation No.: 8279

Filed: November 13, 2001

Art Unit: 1641

For: METHOD FOR IDENTIFYING CELLS

Examiner: C. L. Chin

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in a Communication from the European Patent Office dated December 30, 2004 during the prosecution of European Application No. 01935779.7, which relates to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the European Search Report and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

The undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in any communication from a foreign patent office (copy enclosed) in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62371DIV(49163). A duplicate copy of this paper is enclosed.

Dated: January 26, 2005

Respectfully submitted,

By MJ McLaren  
Margaret J. McLaren, Ph.D., Esq.  
Registration No.: 53,303  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(954) 667-6148  
Attorney for Applicant

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/010,807-Conf. #8279
				Filing Date	November 13, 2001
				First Named Inventor	Weihong Tan
				Art Unit	1641
				Examiner Name	C. L. Chin
Sheet	1	of	1	Attorney Docket Number	62371DIV(49163)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number: Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	BA	WO 98/51435	11-19-1998	TANG, Weixin; WANG, Yuzhou	Claims 1, 2, 4, 5, 9-15, 29-31, 6-8	
	BB	WO 99/46351	09-16-1999	WM. Marsh Rice University	Claims 1-31	
	BC	EP 0 240 770	10-14-87	E.I. Du Pont De Nemours and Company	Claims 1, 4, 9-12	
	BD	EP 0 972 563	01/19/2000	Max-Planck-Gesellschaft	Claims 1, 2, 5, 6, 9	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume -issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	LIZ L ET AL. "Preparation of Colloidal Fe <sub>3</sub> O <sub>4</sub> Ultrafine Particles in Microemulsions" JOURNAL OF MATERIALS SCIENCE, 1994, pages 3797-3801, Vol. 29, ISSN: 0022-2461, Chapman and Hall Ltd., London, England.	
	CB	ALBERT P. PHILIPSE, MICHEL P.B. VAN BRUGGEN and C. PATHMAMANOHRAN, "Magnetic Silica Dispersions: Preparation and Stability of Surface-Modified Silica Particles with a Magnetic Core" LANGMUIR, 1994, pages 92-99, Vol. 10, No. 1, XP-002309610, Van Hoff Laboratory for Physical and Colloid Chemistry, Utrecht University, The Netherlands.	
	CC	SONG-YUAN CHANG, LEI LIU and SANFORD A. ASHER, "Preparation and Properties of Tailored Morphology, Monodisperse Colloidal Silica-Cadmium Sulfide Nanocomposites" JOURNAL OF AMERICAN CHEMICAL SOCIETY, 1994, pages 6739-6744, XP-002309608, Department of Chemistry, University of Pittsburgh, Pennsylvania.	
	CD	M.D. BUTTERWORTH, S.A. BELL, S.P. ARMES, and A.W. SIMPSON, "Synthesis and Characterization of Polypyrrole-Magnetite-Silica Particles" JOURNAL OF COLLOID AND INTERFACE SCIENCE, pages 91-99, Article No. 0521, School of Chemistry and Molecular Sciences, and School of Engineering, University of Sussex, Brighton, United Kingdom, © Academic Press, Inc.	
	CE	SEBASTIEN VAUCHER, MEI LI, and STEPHEN MANN, "Synthesis of Prussian Blue Nanoparticles and Nanocrystal Superlattices in Reverse Microemulsions" AGNEW. CHEM., 2000, pages 1863-1866, XP-002309611, WILEY-VCH Verlag, Weinheim	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



P.B.5818 - Patentaan 2  
2260 HV Rijswijk (ZH)  
T +31 70 340 2040  
TX 31651 epo nl  
FAX +31 70 340 3016

Europäisches  
Patentamt

Zweigstelle  
in Den Haag  
Recherchen-  
abteilung

European  
Patent Office

Branch at  
The Hague  
Search  
division

Office européen  
des brevets

Département à  
La Haye  
Division de la  
recherche

Kupecz, Arpad  
Octrooibureau Los en Stigter B.V.  
Postbox 20052  
1000 HB Amsterdam  
PAYS-BAS

Map.	EP 1139	
Ingek.	29 DEC. 2004	
Termin		

Datum/Date

30.12.04

Zeichen/Ref./Réf.

EP1139W0-Kp/co

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°

01935779.7-1223-US0140729

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

University of Florida

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
Office

SUPPLEMENTARY  
EUROPEAN SEARCH REPORT

Application Number

EP 01 93 5779

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.7)
X	WO 98/51435 A (TANG WEIXIN ; WANG YUZHOU (US)) 19 November 1998 (1998-11-19)	1,2,4,5, 9-15, 29-31	G01N33/543 G01N33/552
Y	* page 1, lines 1-29 * * page 9, line 21 - page 14, line 11 * * page 17, line 14 - page 19, line 30 * * page 23, line 6 - page 38, line 32 * * examples 1-10 *	6-8	
X	JOURNAL OF THE AMERICAN CHEMICAL SOCIETY, vol. 116, no. 15, 1994, pages 6739-6744, XP002309608 USA	1,2,9, 16-28	
Y	Authors: Song-yuan Chang, Lei Liu and Sanford A. Asher Title: Preparation and properties of tailored morphology, monodisperse colloidal silica-cadmium sulfide nanocomposites * the whole document *	6-8	
X	EP 0 240 770 A (DU PONT) 14 October 1987 (1987-10-14) * page 1, lines 5-26 * * page 3, line 24 - page 6, line 33 * * page 9, lines 4-15 * * page 10, lines 1-6 * * page 11, line 24 - page 13, line 19 * * examples 1-10 *  ----- -/--	1,4,9-12	TECHNICAL FIELDS SEARCHED (Int.CI.7)  G01N
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search The Hague		Date of completion of the search 8 December 2004	Examiner Angioni, C
CATEGORY OF CITED DOCUMENTS			
X: particularly relevant if taken alone. Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document		T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application. L: document cited for other reasons  &: member of the same patent family, corresponding document	



European Patent  
Office

SUPPLEMENTARY  
EUROPEAN SEARCH REPORT

Application Number  
EP 01 93 5779

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Y	ANGEWANDTE CHEMIE, vol. 112, no. 10, 15 May 2000 (2000-05-15), pages 1863-1866, XP002309611 Authors: S. Vaucher, M. Li and S. Mann Title: Synthesis of prussian blue nanoparticles and nanocrystal superlattices in reverse microemulsions * the whole document *	6-8	
X	EP 0 972 563 A (MAX PLANCK GESELLSCHAFT) 19 January 2000 (2000-01-19) * column 1, paragraphs 1,2 * * column 2, paragraph 5 * * column 3, paragraph 11 * * column 4, paragraph 14-16 * * column 6, paragraphs 24,25 * * column 7, paragraphs 28,29; figures 1,3-6 *	1,2,5,6, 9	
X	JOURNAL OF COLLOID AND INTERFACE SCIENCE, vol. 183, 1996, pages 91-99, XP002309609 Authors: M. D. Butterworth, S. A. Bell, S. P. Armes and A. W. Simpson Title: Synthesis and characterization of polypyrrole-magnetite-silica particles * the whole document *	1,2,4,5	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
D,X	LANGMUIR, vol. 10, no. 1, 1994, pages 92-99, XP002309610 Authors: Albert P. Philipse, Michel P. B. van Bruggen and C. Pathmanathan Title: Magnetic silica dispersions: preparation and stability of surface-modified silica particles with a magnetic core  -/-	1,2,4,5, 10	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search The Hague		Date of completion of the search 8 December 2004	Examiner Angioni, C
CATEGORY OF CITED DOCUMENTS			
X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document		T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document	



European Patent  
Office

SUPPLEMENTARY  
EUROPEAN SEARCH REPORT

Application Number  
EP 01 93 5779

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
A	LIZ L ET AL: "PREPARATION OF COLLOIDAL FE3O4 ULTRAFINE PARTICLES IN MICROEMULSIONS" JOURNAL OF MATERIALS SCIENCE, CHAPMAN AND HALL LTD. LONDON, GB, vol. 29, 1994, pages 3797-3801, XP002915621 ISSN: 0022-2461 * the whole document *	16-28	
A	WO 99/46351 A (AVERITT RICHARD D ; HALAS NANCY J (US); OLDENBURG STEVEN J (US); UNIV) 16 September 1999 (1999-09-16) * the whole document *	1-31	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search The Hague		Date of completion of the search 8 December 2004	Examiner Angioni, C
CATEGORY OF CITED DOCUMENTS			
X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background G: non-written disclosure P: intermediate document			
T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document			

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 01 93 5779

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

08-12-2004

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9851435	A	19-11-1998	AU 7685498 A	08-12-1998
			WO 9851435 A1	19-11-1998
EP 0240770	A	14-10-1987	US 4661408 A	28-04-1987
			AT 72050 T	15-02-1992
			CA 1289873 C	01-10-1991
			DE 3776180 D1	05-03-1992
			DK 136787 A	19-09-1987
			EP 0240770 A1	14-10-1987
			ES 2032278 T3	01-02-1993
			GR 3003647 T3	16-03-1993
			IE 60178 B1	15-06-1994
			JP 1773233 C	14-07-1993
			JP 4063813 B	13-10-1992
			JP 62226817 A	05-10-1987
EP 0972563	A	19-01-2000	EP 0972563 A1	19-01-2000
			AT 228883 T	15-12-2002
			DE 29924358 U1	02-01-2003
			DE 69904307 D1	16-01-2003
			DE 69904307 T2	04-09-2003
			WO 9947253 A1	23-09-1999
			WO 9947252 A2	23-09-1999
			WO 0003797 A1	27-01-2000
			EP 1064087 A2	03-01-2001
			EP 1064088 A1	03-01-2001
			EP 1098696 A1	16-05-2001
			JP 2002506719 T	05-03-2002
			JP 2003522621 T	29-07-2003
			JP 2002520151 T	09-07-2002
			US 2003219384 A1	27-11-2003
			US 6479146 B1	12-11-2002
			US 6699501 B1	02-03-2004
WO 9946351	A	16-09-1999	US 6344272 B1	05-02-2002
			AU 2994799 A	27-09-1999
			CA 2329436 A1	16-09-1999
			EP 1062291 A1	27-12-2000
			US 2002187347 A1	12-12-2002
			WO 9946351 A1	16-09-1999
			US 2002169235 A1	14-11-2002
			US 6428811 B1	06-08-2002
			US 6699724 B1	02-03-2004
			US 2004214001 A1	28-10-2004
			US 2001002275 A1	31-05-2001